



REPUBLIC OF KENYA



**KENYA LAW**  
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**In re BKM (Minor) (Adoption Cause E003 of 2021)  
[2023] KEHC 1712 (KLR) (23 February 2023) (Judgment)**

Neutral citation: [2023] KEHC 1712 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KERICHO  
ADOPTION CAUSE E003 OF 2021  
AN ONGERI, J  
FEBRUARY 23, 2023  
IN THE MATTER OF CHILDREN ACT (NO. 8 OF 2001)  
AND  
IN THE MATTER OF THE ADOPTION OF B. K. M ALIAS P. K. M  
(MINOR)**

**IN THE MATTER OF**

**MRM ..... APPLICANT**

**JUDGMENT**

1. The applicant herein M. R. M. (hereafter referred to as the applicant only) has filed the Originating Summons (O.S) dated 25/6/2021 seeking authority to adopt B. K. M alias P. K. M (hereafter referred to as the child).
2. The applicant is a Kenyan female adult aged 49 years living and working in Ethiopia.
3. The applicant who works with the [Particulars Withheld] earns a monthly of One Million Kenya Shillings.
4. She is a single mother of one biological son aged 14 years. Her son has given consent to this adoption.
5. The applicant has a home in Nairobi at Four ways Junction at Kiambu. She intends to take the child to Ethiopia after the adoption.
6. The applicant is in good health and has filed a certificate of good conduct
7. The subject was found abandoned at Chepilat by her biological mother.
8. The matter was reported to the police who mounted a search for her biological mother to no avail.



9. The Police gave a first letter dated 29/6/2021. The child was left with the applicant's biological mother and she has been staying with her to date.
10. The Police issued a second letter confirming that they were unable to trace the biological mother of the child.
11. The Children's Officer, Kericho wrote a Report dated 5/8/2022 recommending the adoption.
12. The Guardian Ad Litem also wrote a Report dated 14/2/2023 which is favorable.
13. I have considered the Originating Summons dated 25/6/2021 together with the documents attached thereto.
14. I find that the applicant has attained the threshold for adoption of the child.
15. I find that it is in the interest of the child that this adoption be granted.
16. The child has been staying with the mother of the applicant where she was abandoned by her biological mother who was a house help to the applicant's mother.
17. This adoption can be regarded as a kinship adoption since the only home the child knows is the applicant's home.
18. I hereby allow the Originating Summons dated 25/6/2021 in the following terms;
  - i. That the applicant be and is hereby authorized to adopt the child.
  - ii. That the child shall be called P. K. M.
  - iii. That the date of birth of the child will be on 22/04/2020 since it is the date the child was found abandoned.
  - iv. That the Registrar General be and is hereby directed to enter this adoption in the Adopted Children Register.
  - v. That C. H. M. be and is hereby appointed Legal Guardian of the child in case of incapacity of the applicant before the child attains the age of majority.
  - vi. That the child be issued with a Birth Certificate and a Kenyan Passport.

Orders to issue accordingly.

**DELIVERED, DATED AND SIGNED AT KERICHO THIS 23<sup>RD</sup> DAY OF FEBRUARY, 2023.**

**A. N. ONGERI**

**JUDGE**

